App. F. IX-4

1926.

File No. 300-26

Previous References

(Courts).

1. 5-26 (5-6)
" (1-2)
" 69.22 (1-6)

Serial Nos. ~~1-5~~ 1-7

Later References

Ab 118-28, 1.
Ab 79-28, 17.22.23.25 3.5.8.37
Ab 33-28, 12, 15, 22, 25, 26, 25.
Ch 162-30-
Ch 93-31-1
Ch 67-32-1
" 100-33-1-12
" 100-33 (13-14)
Ab 27-47-1-2
Serial Nos. ~~Four~~ Seven.

PRESERVED

General and Revenue Secretariat.

Part B for August 27.

SUBJECT

Establishment of a Second Bench Court at Bangalore city and the revision of the pay of the Clerical establishment of.

G.O. No. P 62 09-11 A 31-5-27 Town Dist Bangalore
" Comptroller
Regr Sheriff Courts

Sanctioned with effect from
1st July 27.

Manasse Ayyangar
6.8.27.

The Evening Mail

24. 11. 1927

DEWAN'S OFFICE.
25. NOV. 1926
3709

The Bench Magistrate's,
Bangalore city

Submitted for kind perusal.

25/11

25.11.26

Dewan)

May be sent to DC Magistrate for report. This Chief Court

26/11

May this work be sent to the Protection Branch with compliments for favour of taking the necessary action?

29/11/26

29.11.26

May be sent

29/11

To the Protection Br. with compliments

29.11.26

LOCAL AND LEGISLATIVE SECRETARIAT
III
29. NOV. 1926
PROTECTION BRANCH
2371
P

Send with 2 copies

30/11/26

Serial No.	
1	To The Dist Magte Bangalore Roc 2360 Dt 4-12-26. Rd a cutting from the article and requst to forward a report through the Chief Court on the several points Mentioned in the article.
2	To The Regte Chief Court ROC 2341 Dt 4-12-26. Requst to forward the report with the opinion of the Chief Court on the matter
4	From The Dist Bangalore Letter no J 1178 Dt 27.12.26 States that he is inspecting the Bench court shortly and shall submit the report thereafter Filed for perusal.
9	Further report has not been received from the Dist Bangalore Filed with a draft
10	Fwd Signed 6/1/27 Dt 7/2
5	From Regte Chief Court. Letter no 61 2. Dt 31. 3-27 Forwards the report received from the Dist and States that the Chief Court agree with the report and recommendations of the Dist.

7002
7/1

NOTE—Contn. Sheet

App. F. III—2]

General and Revenue Secretariat.

C/o File No. 300 of 1926

Serial No.

Subd.

(1) The Dms report deals with all the points raised in the cutting of the 'Evening Mail'

(1) Selection of good and efficient magistrates. The Dm. reports that recommendations for appointment are being made only after ascertaining whether they are competent and fit to serve on the Benches. Particulars as regards the gentlemen proposed for appointment such as age, their qualifications are being furnished to govt also when recommendations are sent. Only competent men are selected to serve on the Benches.

12 (2) Extension of the term of Benches from two to four months. The Dm. says it is not a matter of necessity. In the cutting it is stated that the period is too short as often it so happens that when some of the magistrates learn their work, their term expires. The Dm. seems to concedes to a certain extent as he recommends that the term may be extended for 3 months. It is submitted that in a big city like Bangalore, business men cannot afford to be absent from their work for a long time. In this view even 3 months seem to be a pretty long time. The present term of two months may perhaps continue.

NOTE—Contn. sheet

GPB—5,000—30-3-27

[pp. F. III—2]

General and Revenue Secretariat.

4 File No. 300 of 1926

Serial No.

13

(3) Creation of another Bench in the city.

This is a question which has been forcibly considered by Govt. The necessity for 2 courts was recognised and provision was also made in the budget in the year 1925-26. The proposed cost of the proposed court comes to Rs 1260/-. The difficulty is as regards accommodation. This has not been solved even though provision was made in the budget for 1925-26. If approved this question will be further pursued. No provision has been made for this item ~~in~~ in the budget of 1927-28 and special provision would have to be made or an additional grant would have to be applied for if the court is sanctioned.*

(4) Increase of clerical establishment. At present there are 4 permanent clerks and one temporary clerk for the Bench court. It is proposed to revise their grade and make the temporary clerk permanent also. If a second Bench court is to be established for the city, each separate clerical establishment. The work will be considerably reduced and one or two hands may as well be retrenched. For the second court, 3 clerks and a peon are proposed. The Dy. does not say whether if the present establishment is increased and their pay revised, the same establishment it may perhaps be taken as can cope with the work. But does seem that from his opinion, the Bench court are in general

W

* At present a temporary Bench court has been sanctioned without any clerical establishment for clearing arrears. If this court is made permanent with the clerical est. raised as suggested there need be no further cost. The Dy. may perhaps be enquired whether the temporary court may be made permanent.

NOTE—Contn. sheet

GPB—5,000—30-3-27

Serial No.

agreement with the opinion of the Dsn. A query may perhaps be asked whether instead of establishing another Bench, for which it is difficult to find accommodation, the proposed establishment if sanctioned cannot cope with the work on the Bench Court. This will save cost to govt and a provision of Rs 600/- is quite sufficient.

15 (5) Increase of allowance to the Chairman and honorarium to the colleagues:. A sum of Rs 30/- pm is paid to the Chairman as conveyance allowance. The Dsn. recommends that this may be raised to Rs 60/- pm. and there seems to be no necessity to sanction an honorarium to the colleagues. If an honorarium is to be paid, each would have to be paid Rs 60/- pm. or Rs 120/- pm for a Bench consisting of 3 judges. This is nearly equal to the minimum pay of a Special Third Class Magistrate. The whole proposal may perhaps be vetoed.

Submitted for orders

14/4/27 16/4

16 Subject for perusal of the Dsn's report.

17) Re para (1) about the selection of Bench magistrates, the news paper article states that the Chairmen of the Bench are not

NOTE—Contn. sheet

GPB—5,000—80-3-27

App. F. III—2]

General and Revenue Secretariat.

File No. 300 of 1926

Serial No.

as now chosen, men well versed in Criminal law & procedure. It is suggested that the Govt might recommend the names of retired Dist Commissioners or Subdivl officers for appointment as the Bench Magistrates, so that they may be chairmen. In view of the recommendation to increase the Honorarium, it may not be difficult to induce such retired officers to accept the office. With a view to attract better men the Honorarium may even be raised to Rs 50/- p.m.

(8) 2. Regarding the creation of another Bench Court: It is to be seen that the temporary Bench Court ceased to exist at the end of March 1927. Another Bench Court may be established temporarily for another year and this Bench may sit on days on which the other does not sit. No separate establishment is necessary for the

NOTE—Contn. sheet

GPB—5,000—30-3-27

WD 01225—GPB—37,500—1-9-26
App. F. III—2]

General and Revenue Secretariat

File No 300 of 1926.

Serial No.

New Bench Court in view of the proposal to make the temporary clerk permanent.

19 3. Regarding the terms of ~~the~~ Bench, it may be increased from 2 to 3 months as proposed by the D.M. The ~~Sub~~ Magistrate may be instructed that they should dispose of all the cases started by them and for this purpose, ~~to~~ that they may take up during the 3rd month for enquiry or trial only such cases as they can dispose of within the month

20 4. Regarding the establishment, the proposal of the D.M. may perhaps be ~~acce~~ sanctioned the extra cost will be Rs 300/- p.a

5. The Honorarium may be increased from Rs 30/- to ~~Rs~~ Rs 100/- as proposed for the chairman This will involve an extra cost of Rs 120/- ~~per~~ year.

21 There was necessity to give honorarium for the Sub Bench magistrate. Most of them do not expect any as they are men of means generally.

22 If the above ~~pro~~ proposals are adopted this Bench courts

Serial No.

Case work ab an extra cost of
apply Rs 420 p.a.

Secy (20) 15/4.

23 On the whole the recommendation
made by D.K. seems to be fair & may
perhaps be accepted & the Chief Court
also agrees with D.K.

10831/20/4

1st Answr. 20/4

24 R 20/4

I agree. Finn Secy has
to be consulted

21/4

Fl 3593-26 9
23.4.27

Fin (Secy) 22/4
with Compts.

25 In a small office the fixed pay scale will lead to discontent, when there is stagnation, whatever may be the rate of pay -

26 I would suggest the following graded scale for the staff -

Head clerk - 30-2-40.

2 clerks - 25-1-30. 2 clerks 20-1-25

The temporary clerk may be made permanent.

27 With this modification the proposals may be sanctioned from 1st July 1927.

FINANCIAL SECRETARY
EAFT.
No. C.E.T.V.

Secy 24/4

11084/27/4

Secy 25/4

Name of Contractor

App. F. III—2]

4509

General and Revenue Secretariat.

No File No. 300. of 1926

Serial No.	
	29 Oct Mw 29/4
11422 6/5	30 Send with draft 28/4/27 Ans 2/5
	31 Please type the draft as revised 3/5
	32 Send with a typed draft as revised 3/5/27 Ans 4/5 Secy (L.D) 1st Asstt. 5/5 5/5 5/5
	33 It is very undesirable to quote the articles etc in the Qs. Please revise question and Convene meeting when I can then finally pass the orders. Mw 6/5/27. 6/5. 7/5
7/5	

NOTE—Contn. sheet

GPB—5,000—30-3-27

4509

App. F. III—2]

General and Revenue Secretariat.

File No. 300 of 1926

Serial No.

Issued

34 The preamble and the first para of the order is revised and resubmitted for

11661/16/5

Please issue

W.P. 8/5

Issued

7/5/27

7/5

35)

Issued into a raised typed draft as directed

11/5/27

11/5

Secy (Def)

Draft may be issued

18/5

1st Memo

14-5

37) Issued. Issue filed in Secy A

17/5

17.5.

17.5

H. Com 356

The Go. is in accordance with HD. opinion in paras 25—27 supra. Opt. Hqrs Sub

23/5

37) It is too late to include provision in the Budget for this item. Para 5 has therefore to be suitably modified

23/5

(Press) Issued. Para 5 kindly modified as suggested

7616

23.5.27

NOTE—Contn. sheet

Need 7/5

GPB—5,000—30-3-27

General and Revenue Secretariat.

File No. [illegible] of 192[illegible]

Serial No.

Sd
26/5/27

Subd for perusal of Finl Secy's modification of para 5.

Sd/ approved. The para 5 will be revised accordingly

I member) 28/5/27

12209/27/5

Sd/ 27/5

Ff: Com 385

Please see paras 25-27 of the note for Finl: Secy's suggestions. The ego. to as per Finl: Secy's opinion. Subd with draft & fair.

Sd/ 31.5.27

By 31/5

Communicated to the Comptroller in Ff: Com 385 of 2.6.27.

This was mixed with 100 ff: cases & given back to-day.

NOTE—Contn. sheet.

WD 2293—GPB—10,000—4-5-27

App. F. III—2]

5747

12

General and Revenue Secretariat.

File No. 300 of 1926

Serial No.

To The Registrar Chief Court.
The Dy Mastr. Bangalore.
The Comptr thro Jt Secy
ROP 6109-11 D 31-5-27.
Directs that a Bench Court be established at Bangalore, that the pay of the clerical establishment be revised, that the temporary hands be made permanent from 1-7-27 & that the allowance of the chairman be raised from Rs 30/- to Rs 40/- p mo from 1-7-27

From
The comptroller. Letter no 2026 D 20 6/27
Enquiries whether it is the intention of govt to have only one chairman for both the courts on an allowance of Rs 40/- a month. One Chairman cannot conduct proceedings in both the courts. The idea is to give a conveyance allowance of Rs 40/- pm to the Chairmen of each Bench Court. If approved the comptroller will be informed accordingly. Submitted with a draft

B/ 2/6

NOTE—Contn. sheet.

WD 2293—GPB—10,000—4-5-27

615807

13

App. F. III—2]

General and Revenue Secretariat.

No. File No. 600 of 1926.

Serial No. 7

To the Comptroller
Nos 40 dt 4.7.27 & the two States that each Bench Court will have its own Chairman & that each Chairman will have to be paid an allowance. As No 40/1 p 1

From
The comptroller. Letter no 130 TADA dt 26/7/27 States that the order nos 6209-11/CS 300-26. S dt 31-5-27 does not state anything about the Chairman of the second Bench Court and requests that the order regarding allowance to be paid to the Chairman second Bench Court may be communicated thro' H. Department.
Submit it is perhaps sufficient to send a copy of letter no 40 dt 4/7/27 to the comptroller, through the H Department. No separate order seems necessary. If approved three copies of the letter and the above typed provisional sheet.

29/7/27

The letter stating that hotel the chairmen untie pay an allowance of Rs 40/- may be communicated through the Finance Dept.

Please bring up 30/7

Recd 29/7

18/30/7

NOTE—Contn. sheet.

WD 2293—GPB—10,000—4-5-27

615

14

App. F. III—2]

General and Revenue Secretariat. No. File No. 300 of 1926

Serial No.	
	H: Com 168
	Subd as the draft and fair Communicating the letter to the Comptroller are subds
	CP 2.8.27
	PW 2/8/27 Issued from the Compt

NOTE—Contn. sheet.

WD 0824 -GPB—60,000—24-5-27

APP. F. VI. Gl.]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

Date of issue 4/12/26

Signed by.....

To be kindly returned with the reply.

List of enclosures.....

Copied by 30/12

Examined by 30/12/26 30/12

Section C6

File No. 300·25

Serial No 1

No. 23340·(1)

To

The D.M. Bangalore

Sir

I am directed to forward herewith the accompanying cuttings from the Evening mail of 24.12.1926 of the Bench magistrates in the Bangalore City and to request you to forward a report through the Chief Court on the several points mentioned in the article.

I have etc

for Secretary

over

Notice.

All contributions to the "Evening Mail" should be written on one side of the paper with the name and address of the contributors in full and reach the office not later than Monday previous to the day of issue *ie* following Wednesday.

MANAGER

The Evening Mail

With Malice towards none, with Charity for all, with Firmness in the right.

—(ABRAHAM LINCLNO.)

BANGALORE: WEDNESDAY, 24th NOV. 1926.

MUNICIPALISM IN BANGALORE.

IT IS WITH MINGLED FEELINGS OF surprise and sorrow that we have come to know that the august Municipal body of the City of Bangalore has not chosen to have the proud honour and privilege of presenting an address of welcome and hospitality to Dr. Prafulla Chandra Ray, the universally revered guest of the State. A special meeting of the Municipal Council was convened last Saturday on an urgent requisition sent by a few Councillors and the proposition had to fall through as the Council was equally divided and the President did not choose to exercise his casting vote. What was perhaps still more deplorable was the callous indifference of some of the requisitionists who did not care to attend the meeting and the ridiculous attitude of neutrality assumed by a few members present. This ignoble and sorry spectacle is indeed a standing disgrace to the Municipal Council of the pre- to the public. With all it great roads, bridges and public structures, our civic life would be empty and soulless if it were to lack the one essential, i.e., patriotism. The Municipality represents the whole body of citizens belonging to the City, not the mere Municipal Council elected by the City to conduct its affairs. It is a tragedy of our modern denationalised life that the Municipal Council looms out as the embodiment of the Municipal life and hte citizen with his rights, aspirations and needs drops back rather far into the rear. And it is on account of this that the Municipal Council more frequently forgets that it is only the trustees of the community during its term of office and becomes too easily a sort of private self-seeking body. There lies therefore at the very root of our civic life the all-important essential factor, the will of the community. At present this will is not clearly expressed. It halts at every turn and is influenced by ignorance or by passion. And the Municipality is equally helpless to measure the needs and aspirations of the citizens and to make their public life a matter of Municipal concern. Municipal life in the highest sense is only possible when the will of the community has become a force. The fundamental need, as Sister Nivedita says in one of her most inspiring essays on Civic and National Ideals, of the civic spirit is that we should think of our City as being, a personality, sacred, beautiful, and beloved. The city is more than a mere aggregate of private homes that compose it. It represents a grouping which transcends the family. The past, present and future of the family is bound up in its caste and occupation ; but the city may embrace all castes ; it transcends all. It seek amongst all alike for its sons, its lovers, its servants. It imposes no restriction of destiny or birth. Not only differences of religion, but those also of the institution of trial by jury among other things is founded. These honorary institutions are a supplementary field of labour on the part of intelligent citizens to the regular work of administration. In no Government of the advanced type are they neglected as a means of education in public life. No citizen if qualified as a judge of fact, can be excused from taking his proper share in the working of those honorary institutions which are intended for the administration of justice.

The Bench of Magistrates of the Bangalore City was instituted some forty years ago. It must naturally have been rudimentary in the labours of its earlier days. Forty years, however, must be a long enough period for any one to learn and advance: and it is a matter of common knowledge that this institution has reached a stage of evolution in which it has justified its existence. It has been found a competent co-adjutor to the courts of stipendiary Magistrates of the City. A large number of citizens of character and intelligence have been enlisted as Special Magistrates, and the Chairmanship of the Bench has, with a few exceptions that cannot be justified, been allotted to some retired Amildars who, in the brave days of old, exercised criminal powers as third or second class Magistrates. The standard of selection is the possession of some knowledge of criminal law and practice on the part of those who are selected as Chairmen. These ancient gentlemen are still found to be intensely wedded to their functions ; and the institution more often than not turns out work not inferior to the work of the local stipendiary Magistrates. Bangalore is the most important City of the State, and its resident Society needs all the help and assistance of good efficient Judges and Magistrates.

zens of Bangalore. The citizens of Bangalore have shown in a most clear and unmistakable mannertheir sense of national patriotism and public spirit in according a most cordial reception to the great scientist and sincere patriot of India. For the past one week the whole city is stirred by the sublime simplicity and the burning patriotism of Dr. Ray and the enlightened public have not missed to attend his lectures and listen to them with unbounded patience and rapt attention. No more eloquent and authentic testimony is required to show that the citizens of Bangalore have nobly responded to the sacred call of the occasion and paid their appreciative and respectful tribute of homage and gratitude to Dr. P. C. Ray. Dr. Ray's presence has indeed created a refreshing change in our civic life, and there has been on the part of the people a remarkable exhibition of patriotic and public-spirited citizenship. And on the contrary, the Municipal Council presents one of the saddest spectacles in the annals of our civic life. It has been wallowing in the mire of mean minded jealousy and prejudice and parochialism of the worst type. In not responding to the call of the hour and in failing to accord the proverbial Indian hospitality to a distinguished guest of the State, it has belied its character as the official representative and mouthpiece of the citizens of Bangalore and has perpetrated the grossest betrayal of the civic trust reposed by the community in it. There is no doubt, we hope, that this incident will be an eye-opener

into the single communal personality. Sectarianism, communalism and party politics have no place in the Municipal life. The inroads into our public life which rabid communalism has made in these later days must have opened the eyes of the citizens of Bangalore to the grave danger to the civic life of the city. There is therefore laid upon the citizens of Bangalore a paramount duty to cherish the civic and national ideals which we have advocated here. If all citizens act in the light and spirit of these ideals it is certain that they can elevate and purify the Municipal life and vote for men of high character and culture to represent them. The most auspicious hour has just come to pass for the citizens of the premier city to awaken to their sense of civic duty and set a beautiful and shining example to the whole State in civic and national idealism.

THE BENCH MAGISTRATES, BANGALORE CITY.

IT IS A PLATITUDE TO SAY WHAT IMportant factor of national evolution is the existence of honorary functions which citizens of a progressive society are called upon to perform. Under the common law of England, every Englishman of the higher orders of English Society is an honorary office bearer. It was recently remarked by the Chief Justice of Madras that almost every member of the House of Commons is an Honorary Magistrate in his country or shire. The allotment of honorary functions is an agent of Civic education. It is upon this principle that

Magistrates. There is enough work to warrant the creation of another Bench. Under the existing practice the bench sits on alternate days; and the work of each term, fixed for a couple of months, is the work of only a single month. The quantity of outturn for each term cannot in the nature of things be very great, with the result that pendency increases. When pending or part-heard cases come up before a first Bench, the right of trial *de novo* is frequently asserted, and asserted with a vengeance when Pleaders appear on the scene. With every fresh Bench the labour of Sisyphus is again started. This is one great reason why a large pendency cannot be avoided; if the decisions of Magistrates is to have their merit not in their quantity, but in their quality. The only remedy that suggests itself to impartial view is the creation of two Benches instead of one, and the extension of the term of each Bench from two to four months. So that there will be three fresh Bench every year. We would recommend to the Chief Court the examination of the condition of the file of the Bangalore City Bench for, say, five years, as we are sure that strong evidence will be be forthcoming in support of our suggestion.

x x x x

The existence of two Benches working alternately in the City, and the creation of a four-month term for the functions of each Bench involves certain considerations in respect of the strength of the establishment and emolument for its individual units. The present strength is

G.R.S. No VII.-G—30]

W D 2:9—500 copies—23-9-21

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

GENERAL AND REVENUE SECRETARIAT.

No. 0 2874 (1)

Bangalore, Dated 4/12/1926

1378-762

From

~~K. MATHAN, Esq B.A.,~~

The ~~Offg. Chief~~ *Secretary to the Government of His Highness the Maharaja of Mysore,*

L. Dept

To

The *Registrar, Chief Court of Mysore,*

Bangalore.

Sir,

I am directed to forward herewith for the information of the Judges of the Chief Court .....cop.....of ~~Government~~ Letter Proceedings Notification No.....dated.....

addressed to the Dy. Bangalore re the Arcot magistrate in the Bangalore City and to request you to kindly forward the report of the Dy. Bangalore with the opinion of the Chief Court in the matter

I have the honor to be,

Sir,

Your most obedient servant,

~~Chief~~ *Secretary to Government.*

L. Dept

Telgm:
"JUSTICE"

4509/P

(1

CHIEF COURT OF MYSORE,
Public Office Buildings, Cubbon Park,

Bangalore...31st...March....***192*** 7.

R. O. C. ~~Dis~~ No. C...../26-27/3

Ch 300 96-3

From

A. Sreenivasaragavachari, Esq., B.A., B.L.,

Registrar, Chief Court of Mysore.

To

B. Nagappa, Esq., Bar-at-law.

Secretary to the Government of His Highness

the Maharaja of Mysore, Law Department.

B A N G A L O R E.

Sir,

I am directed to acknowledge the receipt of your letter No. P 2341/Cts. dated the 4th December 1926, forwarding a copy of your letter No. P 2340/Cts dated the 4th December 1926 addressed to the District Magistrate, Bangalore, re the Bench Magistrates in the Bangalore City and requesting to forward the report of the District Magistrate, Bangalore, in the matter, together with the opinion of the Chief Court thereon and in reply to forward herewith a copy of the report No. J. 1.1758 of 26-27 dated the 10th/21st March 1927, received from the District Magistrate, Bangalore, in regard to the allegations referred to in the article contained in the issue of the Evening Mail dated the 24th November 1926, together with the copy of the proposition statement submitted by the District Magistrate for strengthening the establishment of the Bench Magistrate's Court and the cutting from the Evening Mail referred to.

I am

I am to add that the Chief Court on the whole agrees with the District Magistrate in his report and the recommendations.

I have the honour to be,

Sir,

Your most obedient servant.

For Registrar.

KVV/-

(

Office of the Deputy Commissioner,

Bangalore District,

Dated, Bangalore, the 10th/21st March 1927.

No. J.1.1758 of 26-27.

CA 300-26-

From

S. Hiriannaiya, Esq., M.A., B.L.,

Deputy Commissioner & District Magistrate,

Bangalore District.

To

A. Sreenivasaragavachari, Esq., B.A., B.L.,

Registrar, Chief Court of Mysore,

BANGALORE.

Sir,

With reference to letter No. P. 2340/Cts. dated 4th December 1926 received from the Secretary, Law Department, forwarding a cutting from the Evening Mail dated 2-11-1926, re: the Bench Magistrates in the Bangalore City and requesting a report through the Chief Court on the several points mentioned in the article, I have the honour to state as follows:-

2. The points referred to in the article may be broadly classified into 5 divisions viz., (1) Selection of good and efficient Magistrates, (2) and (3) creation of another Bench and the extension of the term of Benches from two to four months, (4) strength of the establishment and increase of emoluments and (5) the increase of allowance to the Chairman and fixing an honorariam to the other two members of the Bench.

3. Regarding the first point, I write to state that in the month of December last, a few days after my taking charge of

the

the District, I submitted to Government names of certain gentlemen who were on the previous Bench and whom I considered to be quite competent to discharge the duties of a Magistrate and again in the month of January, I submitted a supplemental list containing certain old and new names, after giving full consideration to the capacity of each individual to serve as a Magistrate. Recommendation will only be made if the gentlemen are ascertained to be quite competent and fit to serve on the Bench.

4. Regarding points two and three viz., (2) the creation of another Bench I invite reference to your Docket No. R.O.C. 652 of 22-23 dated 5th July 1924, intimating that the final orders of Government are awaited though a recommendation was made making due provisions in the Budget estimates of the Judicial Department for 1924-25. The recommendation may now be renewed. The extension of the term of the Benches from two to four months is not a matter of real necessity, as the present system of constituting Benches for two months is working satisfactorily. If need be, the Benches will be constituted for three months. Ordinarily the Magistrates who are businessmen do not wish to sit for more than two months at a time.

5. As regards the strength of the establishment and increase of emoluments to the clerical staff, I am of opinion that the temporary clerk sanctioned by Government for sorting records which work has fallen into arrears, may be made permanent as the total number of cases dealt with amount to nearly 2901 (in 1922-23). The pay of the establishment may be revised as follows:-

		From	to
Head Clerk	...	55/-	40/-
2nd ,,	...	35/-	35/-
3rd ,,	...	25/-	30/-
4th & 5th ,,	...	25 & 20	25/- each.

6. Regarding the last item viz., honorariam to the Chairman and the colleagues, I am of opinion that it is enough if the conveyance allowance of Rs. 30/- to the Chairman is increased to Rs. 40/- per mensem and there seems to be no necessity to sanction an honorariam to the colleagues.

7. I inspected the court on 4-2-1927 and have submitted the copy of the notes. The present accommodation for the Bench Court is not very satisfactory and no better arrangement could be made from the limited accommodation at my disposal.

8. The paper cutting is herewith returned as desired.

I have etc.,

Sd/-A. J. Donne.

For District Magistrate.

Bangalore District.

****

" C O P Y "

KVM/-

For R E G I S T R A R.

Finance and Accounts Form 11

Fd. 200]

(*Vide* Art. 57 C. A. C., Vol. I, and Rule 23, Part I, Chapter II of the F

STATEMENT OF PROPOSITION F

Name of Office to which the Proposition relat

Government order sanctioning present Establishment		Nature of Charge										
		Present Scale					Proposed Scale					
No.	Date	No.	Designation	Pay			Average Cost	No.	Designation	Pay			Avera Cost
				Minimum	Rate of Increase	Maximum				Minimum	Rate of Increase	Maximum	
		1.	Head Clerk.	"	"	35	"	1.	Head Clerk.	"	"	40	"
		1.	2nd Clerk	"	"	25	"	1	2nd Clerk.	"	"	35	"
		1	3rd Clerk	"	"	25	"	1	3rd Clerk	"	"	30	"
		1	4th Clerk	"	"	20	"	2	Fourth and 5th Clerks.	"	"	25	"
										"	"	25	"
			Temporary Clerk for one year			25							
						Rs: 130/-						15-5	"

Sc

For

Ic Copy

Mdnira

For Reg

Note.—To be prepared in duplicate and forwarded through the Comptroller in Mysore and should be

(Special Rules circulated with G. O. No. Fl. 1150—1192, dated 7-2-1903)

9

REVISION OF ESTABLISHMENT.

Court of the Bench of Magistrates, Bangalore Cy.

WD 1168—GPB—5,000 14-1-96

Proposition				Grounds of Proposition	Comptroller's Report	Orders of Government		
Permanent		Temporary				Department concerned	Financial Department	
Increase per month	Decrease per month	Increase per month	Decrease per month					
Amount	Amount	Period	Amount	Period	Amount	Remarks	Remarks	Orders
5/-								
10/-								
5/-								
5/-								
25/								

x A. J. Dorne.
District Magistrate
Bangalore District.

Bangalore

(Attach a separate statement, if the proposal involves additional expenditure.

Draft

Proceedings of the Government of His Highness the Maharaja of Mysore.

R e a d--

Correspondence ending with letter No.ROC.642/26-27 dated and 31-3-1927 from the Registrar, Chief Court, forwarding with the opinion of the Chief Court, the report of the District Magistrate, Bangalore, on certain defects in the working of the Bench Court at Bangalore City.

O r d e r, No. 6209-11 Cts 300. 26.5

Dated, Bangalore the ~~23~~ 31 May 1927.

Government find that the work in the Bench Court has increased and consider that another Bench is necessary and are therefore pleased to direct that a Second Bench Court be established at Bangalore and that this Bench may sit on days on which the other does not sit, as was done in the case of the Second Bench Court sanctioned temporarily in G.O.No.P.479-80/Cts.5-26-2 dated 28th July 1926.

2. There is a complaint that the short term of two months for a Bench leads to many unfinished cases and to de novo trials being claimed by the accused. Government therefore direct that the term of each Bench be increased from two to three months. The District Magistrate is requested, with a view to avoid De novo trials, to issue instructions to each Bench that it may take up during the 3rd month of its term for enquiry and trial only such cases as it can dispose of within the month, as far as possible.

3. The establishment for both the Courts will be the same and it is therefore necessary to strengthen and revise the pay of the establishment. Government therefore direct that the pay of the clerical establishment be revised as noted in the margin and that the temporary hand be made permanent, with effect from 1s July 1927.

1 Head Clerk on Rs.30-2-40
2 clerks on " 25-1-30
2 clerks on " 20-1-25 including the temporary hand now made permanent.

11

4. Government are pleased to direct that the allowance of the Chairman may be raised from Rs.30/- per mensem to Rs.40/- per mensem from 1st July 1927.

5. The Comptroller is requested to provide in the Budget of 1927-28, the extra cost involved on account of the revision of the establishment and the increase of allowance to the Chairman of the Bench Court.

For Secretary to Government,
Law Department.

To

The Registrar, Chief Court.
The District Magistrate, Bangalore.
The Comptroller to Government through Financial Sectt.

TD.8

GENERAL AND REVENUE [illegible], LAW DEPARTMENT.

Dated 23/5/27

No. 356

Registered and Communicated to the Comptroller

By Order,

For Financial Secretary.

Proceedings of the Govt. of H.H.
the Maharaja of Mysore.

Cts 300-26-5

Read--

Correspondence ending with letter No.ROC. 642/26-27 dated 31-3-1927 from the Registrar, Chief Court, forwarding with the opinion of the Chief Court, the report of the District Magistrate, Bangalore, on certain defects in the working of the Bench Court at Bangalore City.

Order, No. 60435 Dated, 23/5/27

Government find that the work in the Bench Court has increased and consider that another Bench is necessary and are therefore pleased to direct that a Second Bench Court be established at Bangalore and that this Bench may sit on days on which the other does not sit, as was done in the case of the Second Bench Court sanctioned temporarily in G.O.No. P.479-80/Cts.5-26-2 dated 28-7-26.

2. There ~~is~~ a complaint that the short term of two months for a Bench leads to many unfinished cases and to de novo trials being claimed by the accused. Government therefore direct that the term of each Bench be increased from two to three months. The District Magistrate is requested, with a view to avoid De novo trials, to issue instructions to each Bench that it may take up during the 3rd month of its term for enquiry and trial only such cases as it can dispose of within the month, as far as possible.

Head clerk on Rs.30-2-40
2 clerks on " 25-1-30
2 clerks on " 20-1-25
including the temporary
hand now made permanent.

3. The establishment for both the courts will be the same and it is therefore necessary to strengthen and revise the pay of Estt. Government therefore direct that the pay of the clerical establishment be revised as noted in the margin and that the temporary hand be made permanent, with effect from 1st July 1927.

4. Government are pleased to direct that the allowance of the Chairman may be raised from Rs.30 p.m. to Rs.40 p.m. from 1st July 1927.

5. The Comptroller is requested to provide in the budget of 1927-28, the extra cost involved on account of the revision of the establishment and the increase of allowance to the Chairman of the Bench Court.

Secy.to Govt. Law Dept.

To

The Registrar, Chief Court.

The District, Magistrate, Bangalore.

The Comptroller to Govt.through Fi.Secit.

copy to budget clerk.

TD

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Comptroller's Office, Bangalore.

No. 2026 TAD A

Dated the 20th June 1927.

B. Nagappa Esq., Bar-at-Law.,
Secretary to the Government of Mysore,
Law Department, Bangalore.

Sir,

With reference to Government Order No.P.6209-11/Cts.300-26-5 dated 31-5-1927 sanctioning a second Bench Court permanently for the Bangalore City with effect from 1st July 1927, I have the honor to request you to kindly intimate whether it is the intention of Government to have only one Chairman for both the Courts on an allowance of Rs 40/- a month This information is necessary as the Government order referred to is silent on the point.

I have the honour to be,
Sir,
Your most obedient servant,
A. Raghavachar
For Comptroller.

C. O. 42. Gl.

No. 130/TAD A

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Bangalore, Dated 26th July 1927

S. SHAMANNA, Esq., B.A.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

To

B. Nagappa Esq., Bar-at-Law,
Secretary to the Government of Mysore,
Law Department, B a n g a l o r e.

Sir,

With reference to your letter No.P.40/Cts. dated 4th July 1927 stating that each of the two Bench Courts in Bangalore City will have a Chairman who has to be paid an allowance of Rs 40/- per mensom, I have the honour to point out that in Government Order No.P.6209-11/Cts.300-26-5 dated 31-5-27 sanctioning the increase of strength and revision of the pay of the staff of the Bench Court, nothing is stated about the Chairman for the Second Bench Court. I therefore request that the order regarding allowance to be paid to the Chairman of the Second Bench Court may be communicated through the Financial Department. ~~Pending receipt of the financial sanction, this office will not pass the allowance of the Chairman of the Second Bench Court.~~

I have the honor to be,
Sir,
Your most obedient servant,

V. Srinivasan
For Comptroller.

213 26/7

14

Section 4

File No. 300-26

Serial No. 7

No. 740 - 760

Diary No. of letter replied to.....

To

The Secretaries

General and Revenue Secretariat

( )

the 192

Sir

Date of issue 4/7/27

2/8

Signed by M. Ist

With reference to your letter no 2026 JAS A dt 20-6-27 I am directed to state that a conveyance allowance of Rs 40/- p.m. is sanctioned to each of the chairmen of the two Revenue Courts

I have to be

Sir

Your obedient servant

28/6

each of the two Courts will have its own chairman and that each chairman will have to be paid an allowance of Rs 40/- p.m.

6/ 28/6

List of enclosures.....

Copied by.....

Examined by.....

over

WD 01265—GPB—31,000—24-12-25